



Entered on Docket  
May 13, 2008

A handwritten signature in black ink, appearing to read "R. Linda Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
USA Commercial Mortgage Company,  
USA Capital Realty Advisors, LLC,  
USA Capital Diversified Trust Deed Fund, LLC,  
USA Capital First Trust Deed Fund, LLC,<sup>1</sup>  
USA Securities, LLC,<sup>2</sup>

Debtors.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING FIRST  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
THE SLADE DEVELOPMENT, INC.  
LOAN**

Hearing Date: May 8, 2008  
Hearing Time: 10:30 a.m.

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's First Omnibus  
2 Objection to Proofs of Claim Based Upon Investment in the Slade Development, Inc. Loan  
3 (the "Objection") [DE 6116]. Adequate notice of the Objection was given. No responses  
4 were filed to the Objection and no opposition was raised to the Objection at the hearing on  
5 May 8, 2008. Good cause appearing,

6 IT IS ORDERED that the Objection is sustained and the Proofs of Claim listed on  
7 Exhibit A attached are disallowed in their entirety because they were based entirely upon  
8 an investment in the Slade Development, Inc. Loan.

9 #####

10 PREPARED AND SUBMITTED:

11 **LEWIS AND ROCA LLP**

13 By: /s/ RC (#0006593)  
14 Susan M. Freeman  
15 Rob Charles  
15 John Hinderaker  
16 *Attorneys for USACM Liquidating Trust*

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1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

2 In accordance with Local Rule 9021, the undersigned certifies:

- 3    The Court waived the requirements of approval under LR 9021.
- 4    No parties appeared or filed written objections, and there is no trustee appointed  
5                         in the case.
- 6    No opposition was filed to the motion and no other party or counsel appeared at  
7                         the hearing.
- 8    I have delivered a copy of this proposed order to all attorneys and unrepresented  
9                         parties who have appeared at the hearing, and any trustee appointed in the case,  
                           and each has approved or disapproved the order, or failed to respond, as  
                           indicated below:

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11 **LEWIS AND ROCA LLP**

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13 By: /s/ RC (#0006593)

14 Susan M. Freeman

15 Rob Charles

15 John Hinderaker

16 *Attorneys for USACM Liquidating Trust*

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**SLADE DEVELOPMENT LOAN  
FIRST OMNIBUS OBJECTION**

**EXHIBIT A  
Single Loan Claims**

<b>Claim</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Amount Subject to Objection Because it Relates to an Investment In the Slade Development Loan</b>
<b>10725-01765</b>	Acres Corporation PSP	A. Rehberger Trustee P.O. Box 3651 Incline Village, NV 89450	\$78,000.00	\$78,000.00
<b>10725-01391</b>	Jeffrey L. and Kathleen M. Edwards	1525 Cedar Court Southlake, TX 76092-4133	\$51,277.49	\$51,277.49
<b>10725-00668</b>	Ronald G. Gardner Trust	c/o Ronald G. Gardner Trustee 430 Bavarian Drive Carson City, NV 89705-7010	\$100,000.00	\$100,000.00
<b>10725-00705</b>	Rains Properties LP	Donna M. Osborn, Esq. Marquis & Aurbach 10001 Park Run Drive Las Vegas, NV 89145	\$250,000.00	\$250,000.00
<b>10725-00328</b>	S J Meyer Co.	2660 South Rainbow Boulevard, Suite H108 Las Vegas, NV 89146-5183	\$80,000.00	\$80,000.00
<b>10725-00291</b>	Neil A. and Josephine E. Xavier	2506 Libretto Avenue Henderson, NV 89052-6563	\$50,000.00	\$50,000.00
<b>10725-02159</b>	Neil A. and Josephine E. Xavier	2506 Libretto Avenue Henderson, NV 89052	\$51,545.13	\$51,545.13